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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 GARY RONNELL PERKINS,
12 Plaintiff,
13 v.
14 C. ANGULO, et al.,
15 Defendants.

Case No.: 18cv850-DMS-LL

**ORDER DENYING DEFENDANTS’
EX PARTE APPLICATION TO
VACATE DATES**

[ECF No. 76]

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17 Currently before the Court is Defendants’ “Ex Parte Application to Vacate the
18 Scheduling Order and Mandatory Settlement Conference Pending a Ruling on the
19 Parties’ Motion for Summary Judgment.” ECF No. 76. Defendants request that the
20 Court: (1) vacate the Mandatory Settlement Conference (“MSC”) currently set for
21 February 18, 2021; and (2) vacate all other remaining pre-trial deadlines in the Court’s
22 March 13, 2020 Scheduling Order [ECF No. 37], pending the resolution of the Parties’
23 Motions for Summary Judgment [ECF Nos. 58, 70]. ECF No. 76 at 2-3. In support,
24 Defendants state their efforts to comply with the remaining deadlines in this case will be
25 “greatly impacted” by the Court’s ruling on the Parties’ Motions for Summary Judgment
26 and vacating these deadlines until an order issues will allow them to “determine how, if at
27 all, the ruling affects their cases, settlement positions, and trial preparation.” *Id.* at 3.
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1 In this case, the Court does not find the Parties' pending Motions for Summary
2 Judgment to be good cause to vacate the MSC. The Court is confident that the MSC can
3 still lead to productive discussions despite the pending Motions and **DENIES**
4 Defendants' request. As for Defendants' request to vacate the remaining pre-trial
5 deadlines, the Court notes the first of these is set weeks away on March 5, 2021. For
6 these reasons, the Court also **DENIES** this request as premature.

7 **IT IS SO ORDERED.**

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9 Dated: February 10, 2021

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11 _____
12 Honorable Linda Lopez
13 United States Magistrate Judge
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